

UNITED STATES COURT OF APPEALS February 20, 2008  
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker  
Clerk of Court

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In re:

WILLIAM GENE EATON,  
  
Movant.

No. 07-6296  
(D.C. No. 5:98-CR-00183-DLR)  
(W.D. Okla.)

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ORDER

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Movant William Gene Eaton, a federal prisoner, filed a motion in the district court that constituted an attempt to file a second or successive 28 U.S.C. § 2255 motion. Because Mr. Eaton had not obtained authorization from this court in accordance with 28 U.S.C. § 2255 para. 8 and § 2244(b)(3) before filing the motion, the district court transferred the motion to this court on December 19, 2007. *See Coleman v. United States*, 106 F.3d 339, 341 (10th Cir. 1997) (per curiam) (directing district courts to transfer unauthorized second or successive § 2255 motions to this court in the interest of justice pursuant to 28 U.S.C. § 1631).

On December 20, 2007, Mr. Eaton was sent written notice by this court giving him thirty days to file a motion in this court for permission to file a second or successive § 2255 motion. That deadline was later extended to February 1,

2008. To date, Mr. Eaton has not filed the requested motion for permission.

Accordingly, the matter is DISMISSED.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

ELISABETH A. SHUMAKER, Clerk